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11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE SOUTHERN DISTRICT OF CALIFORNIA  
14

15 **BOBBY SHAWN JANOE,**

Petitioner,

17 v.

18 **JAMES TILTON, Secretary, et al.,**

Respondent.

Case No. CV 08-0420 JLS (POR)

**DECLARATION OF KIM AARONS  
IN SUPPORT OF APPLICATION  
FOR AN EXTENSION OF TIME  
TO FILE ANSWER**

Judge: Hon. Louisa S. Porter

20  
21 I, Kim Aarons, hereby declare and state:

22 1. I am an attorney at law, duly admitted and licensed to practice law in this Court. I  
23 am employed as a Deputy Attorney General for the State of California. In that capacity, I am the  
24 attorney representing Respondent in this matter. The following facts are based on my own personal  
25 knowledge, except for those facts based on information and belief, which I believe to be true. If  
26 called upon as a witness to testify, I could, and would, competently testify about the following facts.

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1           2.       On March 18, 2008, this Court issued an Order Requiring Response to the Petition  
2 for Writ of Habeas Corpus. The Answer is currently due on May 16, 2008. I have not previously  
3 requested any extensions of time in this matter.

4           3.       On or about March 27, 2008, my paralegal ordered the relevant inmate records from  
5 the correctional facility where Petitioner is housed. I received those records on or about April 18,  
6 2008. Upon reviewing the records, I discovered that some of the requested documents were not sent  
7 to me. I have therefore made a second request for those documents. I need additional time because  
8 I anticipate that it will take some time to receive and review the requested records.

9           4.       In addition, I have several previous assignments requiring my attention. Specifically,  
10 I have responsive pleadings due in the following previously assigned state and federal habeas corpus  
11 matters: *Carrizosa v. Woodford* (05-CV-01935-IEG (LSP)), supplemental pleading due on May 14,  
12 2008, on a first extension of time; *Lopez v. Sedley* (CV 08-978-JVS (OP)), response due on May 20,  
13 2008, on a first extension of time; *Harris v. Felker* (CV-07-2216-JAH (VLM)), due on May 20,  
14 2008, on a first extension of time; *In re Masoner*, opening brief due on June 13, 2008 on a second  
15 extension of time; and *Clark v. Hernandez* (08-CV-0399-H (PCL)), due on July 7, 2008, on a first  
16 extension of time. In addition, within the past thirty days, I have completed responsive pleadings  
17 in ten state and federal habeas corpus matters.

18           5.       I am therefore respectfully requesting a sixty-day extension of time, through July 14,  
19 2008, to file and serve the Answer in this matter. This is my first request for an extension of time  
20 in this matter and I do not anticipate requesting further extensions of time. This request is made in  
21 good faith and is based on good cause as set forth above. This request is not made to harass  
22 Petitioner, to delay the outcome of this matter, or for any other improper purpose.

23           6.       I do not believe that Petitioner will be prejudiced by a delay in the consideration of  
24 his claims. Allowing respondent the brief amount of time required to prepare a proper response will  
25 serve the interests of justice without materially prejudicing or unduly benefitting either side.

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7. Because Petitioner is appearing in pro se and is currently incarcerated, I have not contacted him to ascertain whether he has any objection to this request for an extension of time. Petitioner will receive notice of this application by mail at the address he provided to the Court.

I declare under penalty of perjury and the laws of the United States of America that the foregoing is true and correct. Executed this 14th day of May, 2008, at San Diego, California.

/S/ Kim Arons  
KIM AARONS

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Janoe v. Scribner**

Case No.: **CV 08-0420 JLS (POR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266.

On May 15, 2008, I served the attached **DECLARATION OF KIM AARONS IN SUPPORT OF APPLICATION FOR AN EXTENSION OF TIME TO FILE ANSWER** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Diego, California, addressed as follows:

Bobby Shawn Janoe  
CDC # J-25333  
CSATF/SP C-1-112  
P.O. Box 5244  
Corcoran, CA 93212  
In Pro Per

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 15, 2008, at San Diego, California.

J. Yost

Declarant

  
Signature